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### **REMARKS**

This response is intended as a full and complete response to the non-final Office Action mailed June 14, 2006. In the Office Action, the Examiner notes that claims 1-20 are pending and rejected. By this response, Applicant has amended claims 1, 7, 11 and 13-16. No new matter has been added. The support for the amendment can be found in the priority document 09/991,074 on page 109, lines 4-8.

In view of both the amendments presented above and the following discussion, Applicant submits that none of the claims now pending in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §§102 and 103. Thus, Applicant believes that all of the claims are now in allowable form.

It is to be understood that Applicant, by amending the claims, does not acquiesce to the Examiner's characterizations of the art of record or to Applicant's subject matter recited in the pending claims. Further, Applicant is not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims by filing the instant response including amendments.

### **35 U.S.C. §102 Rejection of Claims 1-19**

The Examiner has rejected claims 1-19 under 35 U.S.C. §102(e) as being anticipated by Strubbe (U.S. Patent 5,224,924, hereinafter "Strubbe"). Applicant respectfully traverses the rejection.

Applicant's claim 1 recites:

1. A set top terminal for generating an interactive electronic program guide for display on a television connected to the set top terminal, the terminal comprising:
  - means for retrieving user information associated with two subscribers;
  - means for receiving a television signal;
  - means for extracting individual programs from the television signal;
  - means for generating an electronic program guide for controlling display of content on a television screen, the guide comprising:
    - a favorites menu including names of programs available for selection, wherein the programs included in the favorites menu are based on the user information; and
    - means for receiving selection signals from a user input.

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Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. The Strubbe reference fails to disclose each and every element of the claimed invention, as arranged in claim 1.

Specifically, the Strubbe reference fails to teach or suggest at least means for retrieving user information associated with two subscribers as recited in claim 1. Specifically, the present invention makes it even possible for the set top terminal to suggest programs for two viewers. By using two sets of viewer profile information, the matching algorithm can find the best match for joint viewing. For example, the set top terminal can suggest programs for a couple watching television simultaneously.

The Strubbe reference discloses a user interface which can access downloaded TV program information, which can be continually updated and provided either "over the air", over cable or satellite transmission paths or other "fast data" paths, and automatically correlate this information with the preferences of the user, to create and display at least one program information database based upon the results of the correlation. Strubbe is silent on using two sets of viewer information.

Thus, the Strubbe reference does not teach or suggest each and every one of the limitations of Applicant's invention as recited in claim 1. As such, Applicant submits that independent claim 1 is not anticipated by Strubbe and is patentable under 35 U.S.C. §102.

Independent claims 7 and 16 recite relevant limitations similar to those recited in independent claim 1. Accordingly, for at least the same reasons discussed above, independent claims 7 and 16 also are not anticipated by Strubbe and are patentable under 35 U.S.C. §102.

Furthermore, Claims 2-6, 8-15 and 17-19 depend, directly or indirectly from independent claims 1, 7 and 16, while adding additional elements. Therefore, these dependent claims also are not anticipated by Strubbe and are patentable under 35 U.S.C. §102 for at least the same reasons discussed above in regards to independent claims 1, 7 and 16.

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

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**35 U.S.C. §103 Rejection of Claim 20**

The Examiner has rejected claim 20 under 35 U.S.C. §103(a) as being unpatentable over Strubbe. Applicant respectfully traverses the rejection.

This ground of rejection applies only to a dependent claim and is predicated on the validity of the rejection under 35 U.S.C. 102 given Strubbe. Since the rejection under 35 U.S.C. 102 given Strubbe has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that the Examiner's official notice supplies that which is missing from Strubbe to render the independent claims obvious, this ground of rejection cannot be maintained. Therefore, claim 20 is non-obvious and patentable over Strubbe under §103.

Therefore, Applicant respectfully requests that the Examiner's rejection of claim 20 under U.S.C. §103 be withdrawn.

**THE SECONDARY REFERENCES**

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicant's disclosure than the primary references cited in the Office Action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this Office Action.

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**CONCLUSION**

Thus, Applicant submits that none of the claims, presently in the application, are anticipated or obvious under the respective provisions of 35 U.S.C. §§102 and 103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall, at (732) 530-9404, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: 8/28/06

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